

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Legislative Meeting
1150 Bayview, Petoskey, MI 49770
November 19, 2000
9:30 a.m.

MUST RE-DO THE October 22, 2000 MINUTES COMPUTER FROZE UP. DSB

Executive Session: No

Called to Order: Meeting was called to order at 9:50 a.m.

Council Present: Chairman Gerald V. Chingwa, Vice-Chairman George Anthony, Treasurer Rita Shananaquet, Secretary Dorothy Gasco, Councilor Alice Yellowbank, Councilor Janet Shomin, Councilor Susan Wysocki.

Council Absent: None

Staff Present: See attached list

Guests: See attached list

Motion made by **Councilor Anthony** and **Supported** by **Councilor Shananaquet** to adopt the Agenda as presented and amended.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Wysocki** to approve the minutes of the Administrative Session dated October 22, 2000 as corrected.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to approve the minutes of the ----- Session dated ----- as corrected.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Anthony** and **Supported** by **Councilor Shomin** to accept into the record phone poll dated 11-06-00 regarding the Proposed Budget Modification for the Gaming Regulatory Commission.

Vote: 0 Yes 0 No 0 Abstained 0 Absent

Motion Withdrawn

Motion made by **Councilor Shananaquet** and **Supported** by **Councilor Anthony** to postpone the phone polls dated October 23, 2000 regarding the stipend for Councilor Gasco9 and the Budget Modification for Gaming Regulatory and the phone poll dated November 02, 2000 regarding the Budget Modification for Gaming Regulatory until the next Administrative Session to be held on December 03, 2000.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

Motion made by **Councilor Gasco** and **Supported** by **Councilor Anthony** to accept the Tribal Chairman's verbal report into the record of November 19, 2000.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

Motion Carried

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Motion made by **Councilor Shomin** and **Supported** by **Councilor Shananaquet** to approve the Trans American Plan for the 401-K program as submitted by Human Resources Department.

Vote: 7 Yes 0 No 0 Abstained 0 Absent

1 **Motion Carried**

2
3 **Public Comment:** Called at 11:58 a.m. Comments provided by Tribal Members Wesley
4 Andrews, Fred Harrington and Yvonne Sandell.

5 **Public Comment:** Closed at 12:07 p.m.

6
7 **Recess:** Called at 12:07 p.m. Meeting reconvenes at 1:39 p.m.

8
9 **Motion** made by **Councilor Gasco** and **Supported** by **Councilor -----** to postpone the
10 Maintenance Contract until the next Administrative Session to be held on December 03, 2000.

11 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

12 **Motion Carried**

13
14 **Motion** made by **Councilor Gasco** and **Supported** by **Councilor Shomin -----**

15 -----

16 -----

17 -----

18 **Vote:** 6 Yes 0 No 0 Abstained 0 Absent

19 **Motion Carried**

20
21 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor Anthony** to Authorize -

22 -----

23 -----

24 -

25 **Vote:** 6 Yes 1 No 0 Abstained 0 Absent

26 **Motion Carried**

27
28 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor Gasco** to authorize
29 Tribal Chairman to sign Trans American Contract for the 401-K program.

30 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

31 **Motion Carried**

32
33 **Motion** made by **Councilor Wysocki** and **Supported** by **Councilor Yellowbank** to approve
34 Tribal Council approaching Ken Minnick for a meeting with Tribal Council pending non-complete
35 clause.

36 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

37 **Motion Carried**

38
39 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Shananaquet** to accept the
40 Tribal Administrator's written and verbal report into record on November 19, 2000.

41 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

42 **Motion Carried**

43
44 **Recess:** Called at 2:57 p.m. Meeting reconvened at 3:05 p.m.

45
46 **Public Comment:** Called at 3:50 p.m. No comments provided. **Public Comment:** Closed at
47 3:50 p.m.

48
49 **Motion** made by **Councilor Gasco** and **Supported** by **Councilor Shananaquet** to amend the
50 agenda to move the Gaming Regulatory Commission up to present to Tribal Council.

51 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

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53 **Motion Carried**

54
55 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to postpone the
56 I H S – 638 Preliminary Budget until the next scheduled Administrative Session to be held on
57 December 03, 2000.

58 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

1 **Motion Carried**

2
3 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Shananaquet** to postpone
4 the Avon Breast Care Fund request until the next scheduled Administrative Session to be held on
5 December 03, 2000.

6 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

7 **Motion Carried**

8
9 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor Shomin** to approve
10 Budget Modifications for BIA 638 funds for 2000 as presented.

11 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

12 **Motion Carried**

13
14 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to adopt
15 **Resolution #102200-01** to authorize Chairman Chingwa to execute the note and related loan
16 documents with National City Bank to borrow \$475,000 for the purchase of five homes.

17 **Vote:** 6 Yes 1 No (**Shomin**) 0 Abstained 0 Absent

18 **Motion Carried**

19
20 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor Yellowbank** to adopt
21 **Resolution #102200-02** to authorize Chairman Chingwa to sign for the \$25,000 down payment
22 for the first 5 homes.

23 **Vote:** 6 Yes 1 No (**Shomin**) 0 Abstained 0 Absent

24 **Motion Carried**

25
26 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor Anthony** to appoint
27 John Bott to the Economic Development Commission for a 3-year term.

28 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

29 **Motion Carried**

30
31 **Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Shananaquet** to appoint
32 Dexter McNamara to the Economic Development Commission for a 3-year term. **Vote:** 7 Yes
33 0 No 0 Abstained 0 Absent

34 **Motion Carried**

35
36 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Shananaquet** to approve all
37 Commissions, Committees and Boards stipend rate of \$75.00 per meeting.

38 **Motion Withdrawn**

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44 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Shananaquet** to add
45 Commissions, Committees and Boards stipend rate of \$75.00 per meeting on the next
46 Administrative Session to be held on November 05, 2000.

47 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

48 **Motion Carried**

49
50 *******Motion** made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to appoint
51 Councilor Gasco to the Economic Development Commission for a 3-year term.

52 **Vote:** 4 Yes 2 No (**Shomin, Shananaquet**) 1 Abstained (**Gasco**) 0 Absent

53 **Motion Carried**

54
55 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Yellowbank** to place
56 Economic Development Commission appointments on the Legislative Calendar for immediate
57 consideration.

58 **Vote:** 6 Yes 0 No 0 Abstained 1 Absent (**Shananaquet**)

1 **Motion Carried**

2
3 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to approve
4 Economic Development Commission appointments with Oath - Swearing In of office to take place
5 at a later date.

6 **Vote:** 6 Yes 1 No 0 Abstained 0 Absent

7 **Motion Carried**

8
9 **Motion** made by **Councilor Anthony** and **Supported** by **Councilor Yellowbank** to accept the
10 amendments to Economic Development Commission Statute #1996007 and amendment to
11 Statute #200012.

12 **Vote:** 6 Yes 1 No (**Shananaquet**) 0 Abstained 0 Absent

13 **Motion Carried**

14
15 **Recess:** 5:41 p.m. Meeting reconvenes at 5:46 p.m.

16
17 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor Anthony** to appoint
18 Robert Martell to the Economic Development Commission for a 2-year term.

19 **Vote:** 6 Yes 0 No 1 Abstained (**Shomin**) 0 Absent

20 **Motion Carried**

21
22 **Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Shananaquet** to appoint
23 Cheryl Wood to the Economic Development Commission for a 2-year term.

24 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

25 **Motion Carried**

26
27 **Motion** made by **Councilor Wysocki** and **Supported** by **Councilor Shomin** to appoint Wesley
28 Andrews to the Economic Development Commission for a 2-year term.

29 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

30 **Motion Carried**

31
32 **Motion** by **Councilor Shomin** and **Supported** by **Councilor Wysocki** to approve Economic
33 Development Commission Budget as presented.

34 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

35 **Motion Carried**

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41 **Motion** made by **Councilor Gasco** and **Supported** by **Councilor Anthony** to enter into
42 Executive Session at 5:55 p.m. for legal reasons.

43 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

44 **Motion Carried**

45
46 **Open Meeting resumes at 6:02 p.m.**

47
48
49 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor Anthony** to approve
50 the Investment Policy #200013.

51 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

52 **Motion Carried**

53
54 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Shananaquet** to postpone
55 Omnibus Commissions Statutes & Amendments until the next Legislative Session to be held on
56 November 19, 2000.

57 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

1 **Motion Carried**

2
3 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Shananaquet** to postpone
4 Whistle Blowers Act until the next Administrative Session to be held on November 05, 2000.

5 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

6 **Motion Carried**

7
8 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to approve the
9 Open Meetings Act effective immediately with markups.

10 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

11 **Motion Carried**

12
13 **Motion** made by **Councilor Shomin** and **Supported** by **Councilor Anthony** to remove the
14 Advisory Planning Commission Statute from the Legislative Calendar.

15 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

16 **Motion Carried**

17
18 **Motion** made by **Councilor Anthony** and **Supported** by **Councilor Gasco** to remove the Police
19 Commission Statute from the Legislative.

20 **Vote:** 4 Yes 2 No (**Shomin, Shananaquet**) 1 Abstained (**Wysocki**) 1 Absent

21 **Motion Carried**

22
23 **Public Comment:** Called at 6:34 p.m. Comments provided by Tribal Member Gary Shomin.

24 **Public Comment:** Closed at 6:35 p.m.

25
26 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor Gasco** to postpone and
27 place the Tribal Council Oversight of Governmental Operations Resolution on the next legislative
28 session on November 19, 2000.

29 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

30 **Motion Carried**

31
32 **Motion** made by **Councilor Shananaquet** and **Supported** by **Councilor Shomin** to pay Tribal
33 Council Stipends for Saturday, October 21, 2000.

34 **Vote:** 3 Yes 4 No (**Chingwa, Anthony, Wysocki, Yellowbank**) 0 Abstained 0 Absent

35 **Motion Failed**

36
37 **Motion** made by **Councilor Yellowbank** and **Supported** by **Councilor Wysocki** to pay
38 Councilor Shomin Training Stipend for Saturday, October 21, 2000 to attend Peacemaking
39 Training.

40 **Vote:** 5 Yes 1 No 1 Abstained (**Shomin**) 0 Absent

41 **Motion Carried**

42
43 **Motion** made by **Councilor Anthony** and **Supported** by **Councilor Gasco** to adjourn the
44 Legislative Session of the Tribal Council for October 22, 2000 at 7:09 p.m.

45 **Vote:** 7 Yes 0 No 0 Abstained 0 Absent

46 **Motion Carried**

47
48 **These Minutes have been read and approved as written:**

49 **Approved:**

50
51
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53 _____
54 Dorothy Gasco, Tribal Council Secretary

55 _____
56 Date

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